

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 17-31 remain pending in the present application. No new matter has been added.

By way of summary, the Office Action presented the following issues: the references cited on the Form PTO 1449 filed December 20, 2004, have not been considered; Claims 13-16 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; and Claims 13-16 were rejected under 35 U.S.C. § 102(e) as anticipated by Knudson et al. (U.S. Patent Application Publ'n No. 2006/0095937 A1, hereinafter "Knudson").

NEW ABSTRACT

Applicants have deleted the Abstract and submit herewith a new Abstract. No new matter has been added.

FORM PTO 1449

The references cited on the Form PTO 1449 filed December 20, 2004, have not been considered. Applicants note that the Form PTO 1449 was submitted along with an International Search Report for corresponding Application No. PCT/JP03/06042.

With regard to the information included in the Information Disclosure Statement, the Office is reminded that,

Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, **the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report** or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of

the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report.¹

Because the International Search Report indicates a degree of relevance of the references included on the Form PTO 1449 filed December 20, 2004, the requirement for a concise explanation of relevance has been satisfied. Accordingly, Applicants request consideration of the references included on the Form PTO 1449 filed December 20, 2004.

NEW CLAIMS

Claims 13-16 have been canceled without prejudice or disclaimer. New Claims 17-31 have been added by the present Amendment. It is respectfully submitted that new Claims 17-31 find support at least in Figures 4 and 13-15 and in their accompanying text in the specification. Thus, no new matter has been added.

REJECTION UNDER 35 U.S.C. § 112

Claims 13-16 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Because Claims 13-16 have been canceled, it is respectfully submitted that the rejection under 35 U.S.C. § 112, first paragraph, is moot.

REJECTION UNDER 35 U.S.C. § 102

Claims 13-16 were rejected under 35 U.S.C. § 102(e) as anticipated by Knudson. Applicants submit that new independent Claims 17, 22, and 27 patentably distinguish over Knudson.

Independent Claim 17 recites an information processing apparatus including, in part,

an interface that receives a file containing information
about a plurality of characteristic words representing
characteristics of television programs;

¹ MPEP § 609.04(a)(III) (emphasis supplied).

a display section configured to display one of the plurality of characteristic words in a different color than an other of the plurality of characteristic words; and

a communication section that allows a selection of the one of the plurality of characteristic words, wherein

the interface transmits information about the one of the plurality of characteristic words to a recording and playback apparatus upon the selection, and is configured to receive television program information about one of the television programs from the recording and playback apparatus in response to the information about the one of the plurality of characteristic words.

Applicants submit that Knudson fails to disclose or suggest all of those features.

Knudson concerns a program guide system in which “each program listing satisfying the search may be represented in a distinctive color.”² Knudson does not disclose or suggest that a key upon which the search is based is displayed in a distinctive color.

Knudson at least fails to disclose or suggest “a display section configured to display one of the plurality of characteristic words in a different color than an other of the plurality of characteristic words,” as recited in new Claim 17.

Thus, new Claim 17 (and all associated dependent claims) patentably distinguishes over Knudson for at least the foregoing reasons.

It is further submitted that new Claims 22 and 27 (and all associated dependent claims) patentably distinguish over Knudson at least for reasons analogous to those set forth above with regard to Claim 17.

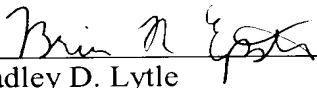
² Knudson, para. [0065].

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application is patentably distinguished over the cited art and is in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)

Brian R. Epstein
Registration No. 60,329